

ENTERED

September 01, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

THEODORE KHANISHO,

Plaintiff,

V.

Civil Action No. 2:22-CV-00233

SHERIFF OSCAR RIVERA, GRACIE ALANIZ-GONZALES, TAMARA COCHRAN-MAY, HEATHER B. MARKS, HEATHER COFFIN, CHRIS GALE, and SAN PATRICIO COUNTY SHERIFF DEPARTMENT,

Defendants.

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**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the August 7, 2023 Memorandum and Recommendation (“M&R”) prepared by Magistrate Judge Mitchel Neurock. (Dkt. No. 44). Magistrate Judge Neurock made findings and conclusions and recommended that Plaintiff’s application to proceed in forma pauperis on appeal, (Dkt. Nos. 36, 38, 39), be denied. (Dkt. No. 44).

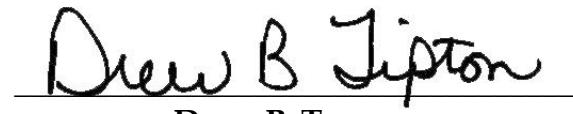
The Parties were provided proper notice and the opportunity to object to the M&R. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No party filed an objection. As a result, review is straightforward: plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005). No plain error appears.

Accordingly, the Court accepts the M&R and adopts it as the opinion of the Court.
It is therefore ordered that:

- (1) Magistrate Judge Neurock's M&R, (Dkt. No. 44), is **ACCEPTED** and **ADOPTED** in its entirety as the holding of the Court; and
- (2) Plaintiff's application to proceed in forma pauperis on appeal, (Dkt. Nos. 36, 38, 39), is **DENIED**.

It is SO ORDERED.

Signed on August 31, 2023.


Drew B. Tipton
DREW B. TIPTON
UNITED STATES DISTRICT JUDGE